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UNITED STATES BANKRUPTCY COURT  
SAN JOSE, CALIFORNIA

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PRO SE

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA – DIVISION 5

In Re: JAMES MADISON KELLEY,  Debtor	Chapter 11  Adversary Case No. 10-05245
JAMES MADISON KELLEY  Plaintiff	
v.	) Request for Judicial Notice of
JPMORGAN CHASE BANK, NA,	) the Deposition of Cynthia Riley
DOES (1-20)	) taken in the matter of JP Morgan Chase
	) Bank, N.A. v. Eduardo Orazco
	) and
	) Declaration of James Madison Kelley
	) in Support of the Request for Judicial
	) Notice
	) (Proof of Service Included)
	) Honorable Arthur S. Weissbrodt
	) Courtroom: 3020

Request for Judicial Notice & Declaration  
Cynthia Riley Deposition

1

Adversary Case 10-05245  
Bkr. Case: 08 –55305 ASW

1 **REQUEST FOR JUDICIAL NOTICE**

2 Pursuant to Federal Rule of Evidence 201, Plaintiff- James Madison Kelley hereby  
3 requests that the Court take judicial notice of the following deposition attached hereto as  
4 Exhibit 1:

5 "The Deposition of Cynthia Riley taken in the matter of JP Morgan Chase Bank,  
6 N.A. v. Eduardo Orazco, case No: 09-29997 CA (11), Fla. 11<sup>th</sup> Cir. Ct."

7 The will be referred to herein as the Riley Deposition. The Plaintiff attests in his  
8 Declaration that the Riley Deposition is a true and correct copy of a court certified copy  
9 (made by him) that was filed in the JP Morgan Chase Bank, N.A. v. Eduardo Orazco,  
10 case No: 09-29997 CA (11), Fla. 11<sup>th</sup> Cir. Ct.

11 Under Federal Rule of Evidence 201(d), judicial notice may be taken at any stage  
12 of the proceeding, including by an appellate court during the pendency of an appeal. Fed.  
13 R. Evid. 201(d); *see also Lowry v. Barnhart*, 329 F.3d 1019, 1024(9th Cir. 2003); *Bryant*  
14 *v. Carleson*, 444 F.2d 353, 357-58 (9th Cir. 1971); Circuit Advisory Committee Note  
15 Seven to Ninth Circuit Rule 27-1. "The Court may take judicial notice of any matter not  
16 subject to reasonable dispute because it: (1) is generally known within the trial court's  
17 territorial jurisdiction; or (2) can be accurately and readily determined from sources  
18 whose accuracy cannot reasonably be questioned." Fed. R. Evid. 201(b).

19 The Riley Deposition is a proper subject of judicial notice. The Riley Deposition  
20 attached hereto is a true and correct from a source whose accuracy can be accurately and  
21 readily determined and cannot reasonably be questioned." Fed. R. Evid. 201(b).

22 "Federal courts may 'take notice of proceedings in other courts, both within and  
23 without the federal judicial system, if those proceedings have a direct relation to the  
24 matters at issue.'" *CactusCorner, LLC v. U.S. Dept. of Agric.*, 346 F.Supp.2d 1075, 1092  
25 (E.D. Cal.2004) (quoting *United States ex rel Robinson Rancheria Citizens Council v.*  
26 *Borneo, Inc.*, 971 F.2d 244, 248 (9<sup>th</sup> Cir.1992)).


1 The Riley Deposition shows that Cynthia Riley was laid off and was not a vice  
2 president of Washington Mutual Bank or Washington Mutual Bank, FA at the time that  
3 blank endorsements in her name would have been made on the loan documents. (See  
4 pages 64 and 65) The blank endorsements on the questioned loan documents produced  
5 by Chase could not have been made or authorized by Riley. This is proof that the blank  
6 endorsed loan documents submitted to the Plaintiff by Chase are fake. Thus, the Riley  
7 Deposition is proof of Plaintiff's claim that Chase lacks standing. Fed. R. Evid. 401(b)

8 The purpose of the Secondary Delivery Operations was to prepare, endorse and  
9 deliver loans to Fannie Mae, Freddie Mac, Lehman, Ocwen, Bayview, GMC, and private  
10 investors who bought the loans. (see pages 23, 36, 39, 41, 42, 47, and 48) Loans that were  
11 sold could not remain the property of Washington Mutual Bank to be passed to Chase by  
12 the Receiver. Fed. R. Evid. 401(a)

13 A federal court must take judicial notice of facts "if requested by a party and  
14 supplied with the necessary information". Here the necessary information-the Riley  
15 Deposition- is attached. Fed. R. Evid. 201(d)

16  
17 DATED: November 11, 2013

18  
19 Respectfully Submitted by

20  
21   
22 James Madison Kelley

23 Pro Se Plaintiff  
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**DECLARATION OF JAMES MADISON KELLEY**

I, James Madison Kelley, declare:

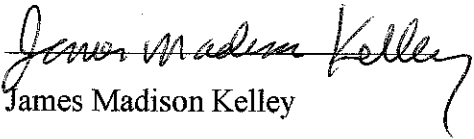
1. I am the Pro Se Plaintiff in the above captioned action. I make this Declaration in support of the Request for Judicial Notice filed herewith. The facts set forth below are within my personal knowledge unless otherwise indicated.
2. I ordered a court certified copy of the Cynthia Riley deposition. I personally copied the court certified copy for this Request.
3. The Document attached as Exhibit 1 hereto is a true and correct copy of the court certified copy filed a Florida court as further specified below:

Exhibit 1:

“The Deposition of Cynthia Riley taken in the matter of JP Morgan Chase Bank, N.A. v. Eduardo Orazco, case No: 09-29997 CA (11), Fla. 11<sup>th</sup> Cir. Ct.”

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 11, 2013 at Saratoga, California.

  
James Madison Kelley

Pro Se Plaintiff

14390 Douglass Lane  
Saratoga, CA 95070  
(408) 402-1915  
[jmadisonkelley@gmail.com](mailto:jmadisonkelley@gmail.com)

**PROOF OF SERVICE**

**PROOF OF SERVICE**

I, James Madison Kelley, under penalty of perjury attest that I mailed

“Request for Judicial Notice of the Deposition of Cynthia Riley  
taken in the matter of JP Morgan Chase Bank, N.A. v. Eduardo Orazco

and

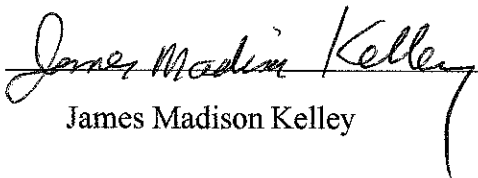
The Declaration of James Madison Kelley in Support of the Request for Judicial  
Notice”

By US mail to the following people:

S. Christopher Yoo, esq.  
John M. Sorich, esq.  
Thomas Van, esq.

AlvaradoSmith, PC  
1 MacArthur Place, #200  
Santa Ana, CA 92707

Dated at Saratoga, California, this 11<sup>h</sup> day of November 2013

By:   
James Madison Kelley

\*\*\* FILED: BROWARD COUNTY, FL HOWARD FORMAN, CLERK 8/7/2013 3:58:00 PM \*\*\*

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT,  
IN AND FOR BROWARD COUNTY, FLORIDA

JPMorgan Chase Bank, National Association,

CASE No.: 09-001639 (11)

Plaintiff,

v.

Robert T. Frost a/k/a/ Robert Frost; JPMorgan  
Chase Bank,; et.al.

Defendant(s).

**NOTICE OF FILING DEPOSITION**

The Defendant, Robert Frost, by and through his undersigned counsel pursuant to Fla.R.Civ.P. 1.330(3) and Fla. Stat. 90.804(2)(a) for use in trial hereby files the deposition of Cynthia Riley taken in the matter of *JP Morgan Chase Bank, N.A. v. Eduardo Orazco*, Case No.: 09-29997 CA(11), Fla. 11<sup>th</sup> Cir. Ct.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished via e-mail this 7<sup>th</sup> day of August, 2013 to Tracy Starasoler, Esq., Shapiro and Fishman, LLP at SFGBocaService@logs.com and Lori Sochin, Esq., Wargo & French, at FLService1@wargofrench.com and FLService2@wargofrench.com.

STATE OF FLORIDA  
BROWARD COUNTY

I DO HEREBY CERTIFY the within and foregoing is a true and correct copy of the original as it appears on and file in the office of the Circuit Court Clerk of Broward County, Florida.

WITNESS my hand and Official Seal at Fort Lauderdale Florida, this the 20<sup>th</sup> day of August, 2013.

Deputy Clerk

MICHAEL JAY WRUBEL P.A.

Michael Wrubel

4801 South University Drive, Suite 251

Davie, FL 33328

MJW@WrubelLaw

Tel.: (954) 434-5353

Fax: (954) 981-2987

/s/ Michael Wrubel

MICHAEL WRUBEL

Florida Bar # 285757

1 IN THE CIRCUIT COURT, 11TH JUDICIAL CIRCUIT  
2 IN AND FOR MIAMI-DADE COUNTY, FLORIDA

3 CASE NO.: 09-29997 CA (11)  
4

5 JP MORGAN CHASE BANK, N.A.,

6 Plaintiff,

7 vs.

8 EDUARDO OROZCO, et al.,

9 Defendants.  
10

11 DEPOSITION OF  
12 CINDY RILEY  
13

14 DATE TAKEN: January 15, 2013

15 TIME: 10:00 a.m. - 12:23 p.m.

16 PLACE: 345 East Forsyth Street  
17 Jacksonville, Florida 32202  
18

19 Examination of the witness taken before:  
20

21 Samantha Cordova, FPR, Notary Public  
22 Hedquist & Associates Reporters, Inc.  
23 345 East Forsyth Street  
24 Jacksonville, Florida 32202  
25

Hedquist & Associates Reporters, Inc.

Veritext Florida Reporting Co.

800-726-7007

305-376-8800

1 APPEARANCES FOR THE PLAINTIFF

2  
3 ROLAND E. SCHWARTZ, Esquire  
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Suite 1850  
Fort Lauderdale, Florida 33301

6  
7  
8 APPEARANCES FOR THE DEFENDANTS

9  
10 MICHAEL J. WRUBEL, Esquire  
11 Michael Jay Wrubel, P.A.  
4801 South University Drive  
12 Suite 251  
Davie, Florida 33328

13  
14 APPEARANCES FOR CINDY RILEY

15  
16 JONATHAN WEISS, Esquire  
17  
18 Simpson, Thacher & Bartlett, LLP  
1999 Avenue of the Stars  
20 29th Floor  
21 Los Angeles, California 900067

22 ALSO PRESENT

23 Eduardo Orozco, Defendant  
24  
25

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1 MR. SCHWARTZ: Hi. My name is Roland Schwartz.  
2 I'm with the law firm of GrayRobinson. We represent  
3 Chase. We also represent Ms. Riley as an employee  
4 of the bank. There was a request by the borrower to  
5 record -- audio record this deposition, which was  
6 refused. And the borrower will not be recording  
7 this deposition.

8 CYNTHIA RILEY,  
9 acknowledged having been duly sworn to tell the truth  
10 and testified upon her oath as follows:

11 THE WITNESS: Yes.

12 DIRECT EXAMINATION

13 BY MR. WRUBEL:

14 Q Okay. Could you state your name for the  
15 record, please?

16 A Cynthia Riley.

17 Q And by whom are you employed?

18 A JP Morgan Chase.

19 Q Okay. And how long have you been employed by  
20 them?

21 A I've been with Chase or Chase affiliates for  
22 25 years.

23 Q Okay. And when you say Chase affiliates, I  
24 take it you're referring to banks that were acquired  
25 or --

1           A     Right.

2           Q     -- institutions that were acquired?

3           A     Correct.

4           Q     All right. Before we get into your work

5 history, have you ever given a deposition before?

6           A     Yes.

7           Q     Okay. Have you ever given a deposition with

8 reference to your work with either JP Morgan, WaMu, or

9 any of the predecessors?

10          A     Yes.

11          Q     How many times have you given a deposition so

12 far?

13          A     Twice.

14          Q     Twice.

15          A     I think twice.

16          Q     And when were they?

17          A     I can't be sure of when they were.

18          Q     To the best of your ability.

19          A     I would want to say the last year sometime.

20          Q     Okay. And I take it one of them was --

21          A     Maybe two years ago.

22          Q     One of them was in Tavares?

23          A     Yes.

24          Q     Okay. And the other one was where?

25          A     New York.

1 Q In New York?

2 A (Nods head.)

3 Q Okay. Do you know what the name of that case  
4 was?

5 A Don't recall.

6 Q Okay. Do you recall when you gave the  
7 deposition?

8 A I -- I'm guessing -- I don't really know for  
9 sure.

10 Q Okay. In any case, this will be your third  
11 deposition with reference to this subject matter?

12 A Correct.

13 Q All right. And with reference to your  
14 education, how far did you go?

15 A College. I went through college.

16 (Brief interruption.)

17 THE WITNESS: I'm sorry. My phone is obviously  
18 on.

19 MR. WRUBEL: Take your time.

20 THE WITNESS: Took care of that. Thank you.

21 MR. WRUBEL: No worries.

22 THE WITNESS: My apologies.

23 MR. WRUBEL: Things like that happen all the  
24 time.

25 THE WITNESS: Nobody ever calls me. Okay.

1 BY MR. WRUBEL:

2 Q Okay. You were mentioning you went to college.

3 A Yes.

4 Q Where'd you go?

5 A University of Colorado.

6 Q And what did you major in?

7 A Business administration.

8 Q And did you get a degree in business  
9 administration?

10 A Yes, I did.

11 Q Did you do any post-college work?

12 A Some. Couple of years.

13 Q Couple years. Where?

14 A University of Colorado.

15 Q In what capacity did you do post-graduate?

16 A I started out a master's program and left that  
17 for a job.

18 Q Okay. And what were you trying to get a  
19 master's in?

20 A Accounting.

21 Q And from the language you're using, I take it  
22 that you did not get a master's degree?

23 A I did not.

24 Q But you took courses towards it?

25 A I took some courses in the master's program.

1 Q Okay. Anything else besides accounting that  
2 you took courses in master's area?

3 A No.

4 Q All right. Once you -- you said you left  
5 because of a job?

6 A Yes.

7 Q And what job was that?

8 A I went to work for Hand Miller & Associates.

9 Q In what capacity?

10 A At the time they were called Landman Oil and  
11 Gas Industry.

12 Q Can you spell that, please, Laman?

13 A Landman.

14 Q Oh, Landman.

15 A One word.

16 Q All right. So they were in the gas industry?

17 A They were a contractor providing services to  
18 gas industries, yes.

19 Q And how did you assist them?

20 A I went out and researched legal records for  
21 mineral ownership.

22 Q And how long did you have that job for?

23 A Year or two.

24 Q Okay. Did you do anything else for them  
25 besides research legal records?

1 A No.

2 Q Okay. Where did you work after that?

3 A That's a long time ago.

4 Q Approximately. Okay. Well, we know that you  
5 go back 25 years in the banking industry from what  
6 you've told us so far.

7 A I think that's when I went to work.

8 MR. SCHWARTZ: Don't guess if you don't know.

9 A Yeah. I don't know the order anymore.

10 Q Okay. Without knowing the order, can you tell  
11 me where -- if you had any other jobs before you entered  
12 the banking industry?

13 A I worked at JP -- JC- --

14 Q JCPenny's?

15 A Penny's.

16 Q Okay.

17 A Yes. I worked at JCPenny's for a little while.

18 Q In what capacity?

19 A Sales.

20 Q And do you know approximately how long you  
21 worked for JCPenny?

22 A Maybe a year.

23 Q Okay. And did you have any other jobs before  
24 you got into the banking industry?

25 A Just the normal ones, you know, growing up. Is

1 that what you're interested in?

2 Q I'll tell you what --

3 A Sixteen-year-old I was a bus girl.

4 Q I'm going to let you go for precollege. We  
5 don't need to know that.

6 A Okay. All right.

7 Q Just simply post college. Anything else before  
8 you got into the banking industry?

9 A No, not that I can think of.

10 Q Okay. Before we get into your banking  
11 history --

12 A Excuse me. I was in the insurance. I was  
13 account executive for a health insurance company right  
14 after college, Peak Health.

15 Q Peak, P-e-a-k?

16 A Uh-huh.

17 Q And as an account executive, what were your  
18 duties?

19 A Sales.

20 Q And was that in Colorado also?

21 A That was in Colorado.

22 Q What city?

23 A Colorado Springs.

24 Q What about for Hand Miller & Associates? Where  
25 was that located?

1 A That was in Denver, Denver, Colorado.

2 Q And JP -- JCPenny?

3 A That was Stockton, California. That would be  
4 the third in the list.

5 Q Got it. So we're getting some clarity here.

6 Without telling me what was said, did you  
7 prepare for this deposition with anybody?

8 A I met with Roland and Jonathan yesterday.

9 Q All right. And other than meeting with them  
10 yesterday, did you meet with anybody? Was that the  
11 first time?

12 A It was.

13 Q In preparation for this deposition.

14 A The first time we met for this deposition, yes.

15 Q All right. And approximately how much time did  
16 you spend preparing?

17 A Two hours.

18 Q Okay. Did you review any of the documents with  
19 reference to Mr. Orozco in your preparation?

20 A I saw the note.

21 Q Okay.

22 A And that's it.

23 Q All right. Okay. Back to your work history.  
24 You say that you go back 25 years. Who was your first  
25 job with, if you recall?

1 A American Savings Bank.

2 Q And where were they located?

3 A Stockton, California.

4 Q In what capacity did you start working for  
5 them?

6 A I was in the records area where files were  
7 moved in and out of records.

8 Q And what did you do with regards to the  
9 records, if anything?

10 A I was a supervisor. I supervised a team of  
11 people responsible for tracking files as they were  
12 shipped in, as they came in and shipped out.

13 Q Okay. And as a supervisor of the team, what  
14 types of things would they do?

15 A They looked at images that came through from  
16 the files to make sure that they were quality checked  
17 and jacketed them.

18 Q Right.

19 A Meaning they cut them, put them into jackets.  
20 In terms of the shipping, we would write transmittals of  
21 files in boxes and ship them to secure storage.

22 Q When the files came in, would you make copies  
23 of notes and things of that nature and copies of the  
24 loan?

25 A No.

1 Q Would there be any records made of the notes as  
2 they came in?

3 A That was not an area I was involved in. I  
4 really can't speak to that.

5 Q Okay. So as far as taking care of the files,  
6 what would your team do?

7 MR. SCHWARTZ: I'll object as to relevance,  
8 but go ahead.

9 Q Go ahead.

10 A They were the credit files. And they simply --  
11 our job was to box them and send them to shipping after  
12 the images had been verified and jacketed.

13 Q Okay. What images are you referring to?

14 A Of the loan files.

15 Q All right. And so images would be made  
16 elsewhere and you would check to make sure that they  
17 were accurate?

18 MR. SCHWARTZ: We make a standing objection as  
19 to what specifically she did at that bank so I don't  
20 have to interrupt you.

21 MR. WRUBEL: That's fine.

22 A Yes. The files were imaged somewhere. They  
23 came in and rolled the film. Those rolls of films were  
24 reviewed, cut, and jacketed for each borrower.

25 BY MR. WRUBEL:

1 Q Right.

2 A And then once that was done, then the credit  
3 file is boxed up and shipped out.

4 Q Okay. And just so I can be clear, when you say  
5 films, are we talking microfilm?

6 A Yes.

7 Q And so there would be a microfilm of the note  
8 as it came in?

9 A I don't know if the note was in that or not.

10 Q I understand. But it would be loan documents  
11 that would be filmed?

12 A Credit file was -- we dealt with the credit  
13 file, and that's what was imaged and that we worked  
14 with.

15 Q All right. And when you're referring to the  
16 credit file, what would normally be in that?

17 A Everything except the letter.

18 Q Okay. But I need to know what everything is.

19 A Underwriting documents, your -- your loan  
20 application, tax forms.

21 Q Okay. In other words, records that were  
22 provided by the borrower or forms that they filled out  
23 in the process of getting the loan?

24 A Correct.

25 Q Anything else besides those types of documents?

1           A     Generally what's in a credit file.

2           Q     Okay. And I apologize. I'm just not an expert  
3     in this area.

4           A     That's all right.

5           Q     So you're going to have to tell me as we go  
6     through this.

7                     And how long did you supervise these teams that  
8     were doing this work for American Savings?

9           A     Year, year and a half.

10          Q     Okay. And where were you working at that time?

11          A     Stockton, California.

12          Q     Was that the headquarters of American Savings  
13     at the time?

14          A     Yes, it was.

15          Q     All right. And you mentioned that we go back  
16     25 years. So are we talking about approximately 1987,  
17     in that area, 1988?

18          A     Yes.

19          Q     Okay. What did you do after the year and a  
20     half of supervising the team that were reviewing credit  
21     files and checking credit files?

22          A     I moved into a group of trainers and became a  
23     trainer.

24          Q     All right. So you actually trained other  
25     individuals?

1 A Yes.

2 Q In what capacities?

3 A We were responsible for training of any  
4 employee at American Savings Bank, so...

5 Q Regardless of their responsibilities?

6 A Right. We wrote training material from  
7 procedures, things like that. And then we trained new  
8 employees.

9 Q Were you the head of that team as well?

10 A No.

11 Q Who was, if you recall?

12 A Karen Moran.

13 Q Good memory.

14 And how long did you do training for?

15 A Maybe a year, year and a half.

16 Q Okay. What did you do after you did the  
17 training?

18 A Went to a supervisor in customer service.

19 Q And what does that job entail?

20 A That's a call center. Borrowers calls in, and  
21 the team would respond to the questions.

22 Q For customers?

23 A Yes.

24 Q Okay. How long did you do that for  
25 approximately?

1 A Couple years.

2 Q And you're still with American Savings at this  
3 point?

4 A Yes.

5 Q Okay. Was American Savings acquired by  
6 anybody?

7 A Later Washington Mutual, yes.

8 Q What was the next thing that you did for  
9 American Savings after you supervised in the customer  
10 service center?

11 A Tax and insurance supervisor.

12 Q And what does that entail?

13 A Making sure the tax escrow account, making sure  
14 taxes get paid, forced order insurance, dealing with  
15 correspondence regarding forced order insurance --

16 Q Okay.

17 A -- tracking, placement.

18 Q And were you doing the physical work, or were  
19 you again supervising?

20 A I'm supervising. It is work.

21 Q Pardon me?

22 A That's work as well.

23 Q I understand. We all understand that.

24 And how long did you supervise in the tax and  
25 insurance area?

1 A Probably a couple years.

2 Q What was your next position with American  
3 Savings?

4 A Purchase servicing.

5 Q What does purchase servicing do?

6 A It was a -- a team of individuals that  
7 coordinated the service transfers and bringing them on  
8 board to the servicing systems.

9 Q Okay. When we're talking about service  
10 transfers, are we talking about loans that are being  
11 serviced by American Savings?

12 A No. We're talking about loans serviced by  
13 somebody else that American Savings bought the servicing  
14 and that American Savings was going to service.

15 Q So American Savings was doing the servicing  
16 work?

17 A After it was moved on board, yes.

18 Q Right.

19 A My job as purchase servicer was to get those  
20 loans on board, yes.

21 Q All right. And so you would go to other  
22 entities to purchase the servicing rights to the loans;  
23 am I understanding you correctly?

24 A I did not. The bank did that activity where  
25 they purchase a servicing of loans and then moved it

1 over to mark in savings for servicing.

2 Q Okay. And your responsibilities would be?

3 A When the deal was -- was arranged and done, all  
4 of the due diligence was done. My job was coordination  
5 of all the departments and the information that had to  
6 come in order to make that transfer happen.

7 Q Okay. And what types of departments are we  
8 talking about that had to be brought on board?

9 A Every department is affected, so your  
10 foreclosures, collections, modifications, payments,  
11 customer service. Every loan servicing department is  
12 generally affected by a purchase.

13 Q Okay. And, again, just so I'm clear on your  
14 responsibilities, they were to make sure that the  
15 records were transferred over to you so you could  
16 effectively take care of the servicing obligations?

17 A That's correct. It could be the records, yes.  
18 It's data records. It could be files. Uh-huh.

19 Q All right. So there'd be physical files that  
20 were brought on board as well?

21 A Yes.

22 Q What types of physical files would be brought  
23 on board?

24 A The credit file.

25 Q Okay.

1 A Collateral files could be part of the deal.

2 Q And what would be in the collateral files?

3 MR. SCHWARTZ: Object as to relevance, again,  
4 but go ahead.

5 A Notes, sometimes title policies, deeds.

6 Q And when notes were brought on board, would  
7 they be stored in a central location?

8 MR. WEISS: Objection to the form of the  
9 question.

10 Q You can answer.

11 A If they go to a vault.

12 Q Okay. And did American Savings have more than  
13 one vault that they would go to?

14 A At that time, no.

15 Q And where was the vault located?

16 A In the basement.

17 Q In Stockton?

18 A In Stockton.

19 Q What types of entities was American Savings  
20 purchasing servicing rights from?

21 A I can't really speak to that. I don't know  
22 that.

23 Q You didn't know where they were coming from,  
24 the loans?

25 A I would know -- at the time I would know the

1     servicer we were getting the loans from.

2           Q     Okay.

3           A     Whether -- when you ask the entities, I don't  
4     know if you're -- is that asking who owned the loans? I  
5     don't know. I only know that we would service transfer  
6     loans in, and at that time I would have known the  
7     companies that we were getting them from.

8           Q     Okay. I may be confused. But just so I'm  
9     clear on this, would you all be getting the servicing  
10    rights from other servicers or from entities that had  
11    just freshly issued the loans or both?

12          A     We did both.

13          Q     Okay. And how long did you do the purchasing  
14    of the --

15               MR. WEISS: I'm going to object, Mike. We've  
16    spent 20 minutes talking about her job  
17    responsibilities for a job 25 years ago. If you  
18    want to get to something that's relevant, let's do  
19    that, but at this pace we're going to be here all  
20    day.

21               MR. SCHWARTZ: I'll join in that objection. I  
22    mean, I already have a standing objection as to  
23    relevance. We're talking about American Savings  
24    Bank, has nothing to do with this case whatsoever.  
25    Obviously I can't instruct her not to answer at this

1 point; but at some point, you know, if we continue  
2 for the next 20 minutes about irrelevant stuff,  
3 we'll consider it. Go ahead.

4 MR. WRUBEL: It's up to you.

5 BY MR. WRUBEL:

6 Q How long did you do purchasing and servicing  
7 for?

8 A I want to say a number of years in that that  
9 job would evolve.

10 Q Okay.

11 A As -- so I want to say it was probably several  
12 years.

13 Q Okay. And when you say the job evolved, did  
14 the responsibilities change? Is that what you're  
15 referring to?

16 A Departments changed or grew, absorbed into  
17 other departments, things like that.

18 Q Okay. And what did you do after the purchasing  
19 and servicing?

20 A Purchase and servicing is more title. That was  
21 really a department and a function that I was then  
22 involved in up until November of 2006 then.

23 Q Okay. And I take it you're saying that your  
24 responsibilities remained in servicing until November of  
25 2006?

1 A In servicing, that's correct, yes.

2 Q Okay. What other responsibilities did you have  
3 that we haven't talked about in servicing?

4 A That's -- that's pretty much the history. I  
5 was in that department.

6 Q Okay.

7 A I grew with them. I did have other  
8 responsibilities.

9 Q That's what I'm trying to understand. I'd like  
10 to know what your history of your responsibilities were  
11 in servicing.

12 A All right.

13 MR. WEISS: Object to the form of the question.

14 Vague and ambiguous as to the time period.

15 Q Okay. Let's take our time, then.

16 A Okay.

17 Q We'll take our time, then. We'll do it  
18 chronologically. Please advise me how your servicing  
19 responsibilities evolved from a chronological  
20 standpoint.

21 A Oh, I stayed in a department. It was -- became  
22 secondary delivery operations. The purchase of  
23 servicing and movement of whole loan sales and so on  
24 occurred in that department, along with -- and that's  
25 what my -- my functions were, related to that.

1           Then I took on, in Stockton, the note review  
2     unit and team and was also involved in special projects  
3     outside of those functions.

4           Q     Okay. What were your responsibilities with  
5     regards to the movement of home loan sales?

6           A     Whole loan sales.

7           Q     Whole loan. I'm sorry. What does whole loan  
8     sales mean?

9           A     The loan file is sold along with the servicing.  
10    Again, the -- the files would be collected. The  
11    collateral would be collected and shipped to servicers,  
12    purchasers of that.

13          Q     Okay. And we're saying whole loans -- whole  
14    loans were sold. I presume you're saying that the notes  
15    as well as the servicing rights were sold?

16          A     Yes.

17               MR. SCHWARTZ: Object. Calls for a legal  
18    conclusion. Go ahead.

19          A     Yes.

20          Q     And these were loans that were originated by  
21    American Savings or -- or WaMu?

22          A     It could have been a combination of originated  
23    or not originated by American Savings.

24          Q     Okay. And I think you understand when I say  
25    WaMu we're referring to Washington Mutual?

1 A Yes.

2 Q And you also indicated that you were involved  
3 in Stockton with note review?

4 A Yes.

5 Q And what were your responsibilities with regard  
6 to note review?

7 A I supervised the unit that did note review.

8 Q And what were their responsibilities with  
9 regards to note review?

10 A They would ensure that the data that came on  
11 the note matched what was on our servicing systems.

12 Q Do you know who would input that data?

13 A The data was not inputted. It came from our  
14 origination systems and were fed to our servicing  
15 systems.

16 Q Okay. And, I mean, what I'm trying to  
17 understand is was it fed electronically, or was there  
18 paper data?

19 A We got electronic data.

20 Q Okay. And --

21 A And we had the note.

22 Q And do you know who inputted the electronic  
23 data?

24 A The origination centers.

25 Q Okay. And back when you first took over these

1 responsibilities, was American Savings located in  
2 anywhere besides California?

3 A I --

4 MR. SCHWARTZ: If you know.

5 Q If you know.

6 A If we're -- if it's American Savings was  
7 California only, I -- I don't remember when Washington  
8 Mutual would have taken over, and I don't remember when  
9 that -- it was seamless to me. I had the same job  
10 functions.

11 Q Okay.

12 A So I can't answer that. I don't know if that  
13 was Washington Mutual or American Savings at that  
14 particular time.

15 Q Okay. I take it what you're saying, then, is  
16 when it was American Savings alone, that was only in  
17 California; but when WaMu acquired American Savings, it  
18 became multi- --

19 MR. WEISS: Objection. Misstated her prior  
20 testimony. I think she said she didn't know for  
21 sure.

22 A I -- I don't know for sure that American  
23 Savings was only in California.

24 Q Okay.

25 A I know for sure that Washington Mutual was

1 bigger than California.

2 Q Got you.

3 A Okay.

4 Q And you've indicated you don't know when  
5 Washington Mutual acquired American Savings?

6 A No.

7 Q I don't want you to guess, but do you have any  
8 range or idea?

9 MR. SCHWARTZ: Asked and answered. Go ahead.

10 A I really don't.

11 Q Okay.

12 A '89. I don't know.

13 MR. SCHWARTZ: Don't guess.

14 THE WITNESS: Okay. Thank you.

15 BY MR. WRUBEL:

16 Q All right. With reference to the notes that  
17 were originated, they would be brought to Stockton?

18 MR. WEISS: Object to the form. Vague and  
19 ambiguous.

20 A Yes.

21 Q Okay. And let me rephrase the question. How  
22 did -- how were the notes originated that came to  
23 Stockton, California, with American Savings?

24 A I don't understand the question. Say that  
25 again, please.

1 Q What entities would originate the notes that  
2 would come to Stockton, California, that you would  
3 review?

4 A American Savings.

5 Q Okay. Anybody besides American Savings  
6 initially?

7 MR. WEISS: Object to the form.

8 A I can't -- I don't know for sure. My unit  
9 reviewed American Savings.

10 Q Okay. And what things would they review with  
11 regards to the notes and the loans?

12 A The data in the notes, the term, maturity date,  
13 borrower name, address, that it's all correct, matching  
14 the system.

15 Q Okay. Anything that your team would do besides  
16 making sure that all the information matched?

17 A And -- in Stockton?

18 Q Yes.

19 A The notes were endorsed, and they were shipped  
20 to the custodian.

21 Q Okay. And where was the custodian located?

22 A In the same building.

23 Q All right. And when you say that the notes  
24 were endorsed, are we going -- approximately what year  
25 are we going back to approximately, if you know?

1 A Prior to 2004.

2 Q Do you know how long before 2004?

3 A No.

4 MR. WEISS: Object to the form. Are you asking  
5 her for what period of time were notes endorsed, or  
6 are you asking her --

7 MR. WRUBEL: I'm trying to -- I'm trying to  
8 ascertain at what point in time they began endorsing  
9 notes when they came into the Stockton facility.

10 MR. WEISS: Who's they?

11 MR. WRUBEL: Her team.

12 MR. WEISS: So you're asking her when she  
13 worked in note review, when did people start  
14 endorsing notes?

15 MR. WRUBEL: Effectively yes.

16 A I don't think that's one and the same. I  
17 did -- I was the supervisor for that unit sometime 2002  
18 I would say.

19 BY MR. WRUBEL:

20 Q Okay.

21 A We were endorsing the notes at that time.

22 Q All right. So you're saying back in 2002 your  
23 team that was reviewing the data were also endorsing the  
24 notes?

25 A Yes.

1 Q All right. And do you know if notes were  
2 endorsed before 2002 when they came into your --

3 A I would only be guessing.

4 Q Okay. And -- but you are certain that in 2002  
5 notes that were being reviewed for data were also being  
6 endorsed when they came through your unit --

7 A Correct.

8 Q -- as supervisor?

9 A Correct.

10 Q Okay. And how were the notes endorsed?

11 A They were endorsed with an endorsement stamp.

12 Q Okay. And whose signature would be on the  
13 endorsement stamp?

14 A Jess Alamanza.

15 Q Can you spell that, please?

16 A A-l-a-m-a-n-z-a.

17 Q Okay. And were these blank endorsements, or  
18 were they specific endorsements?

19 MR. WEISS: Object to the form of the question.

20 MR. SCHWARTZ: I'll join. It's irrelevant. Go  
21 ahead.

22 A That was a blank endorsement.

23 BY MR. WRUBEL:

24 Q Okay. And you indicated that it was placed  
25 there with a stamp?

1 A Yes.

2 Q Okay. Jess Alamanza was whom?

3 A My boss.

4 Q Okay. And what was his position?

5 A VP secondary delivery operations.

6 Q And was there more than one stamp that was  
7 being used?

8 A No.

9 Q Do you know how many people were using that  
10 stamp?

11 A I don't remember specifically.

12 Q Okay. Do you recall approximately how many  
13 people were in the team that you supervised?

14 MR. SCHWARTZ: I'll object, again. Relevance.  
15 Thirty minutes now we have not talked about  
16 Ms. Riley's endorsement or signature. It's been  
17 30 minutes.

18 MR. WRUBEL: That's fine.

19 BY MR. WRUBEL:

20 Q You can answer.

21 A Ten to twelve.

22 Q And, to your knowledge, would all 10 to 12 be  
23 using the endorsement stamp?

24 A I don't remember if we had 10 to 12 doing the  
25 endorsements at that time.

1 Q Okay. And the time we're talking about is in  
2 2002?

3 A It is while I supervised that unit.

4 Q And the time that you supervised that unit was  
5 what period of time?

6 A I'm saying it should be around 2002, 2004 to  
7 then.

8 Q Do you recall the names of anybody in that team  
9 that was using the Jess Alamanza stamp?

10 A No.

11 Q And you indicated that once the notes were  
12 endorsed they'd be sent to the custodian?

13 A Correct.

14 Q All right. And I take it the custodian would  
15 place the notes in the vault?

16 A That's correct.

17 Q Did the custodian have any other  
18 responsibilities, to your knowledge?

19 MR. SCHWARTZ: Don't guess.

20 A I -- I don't know what their responsibilities  
21 would be.

22 Q Okay. Were you yourself endorsing any of  
23 the -- any of the notes?

24 MR. WEISS: Object to the form of the question.

25 Q You can answer.

1 A I was not endorsing those notes, no.

2 Q Okay. And you weren't using the Jess Alamanza  
3 stamp to endorse the notes either personally?

4 A I was not.

5 Q Okay. While you were in Stockton -- by the  
6 way, how long were you in Stockton till?

7 A 2004.

8 Q Do you know what month?

9 A June.

10 Q So until June 2004 the only endorsement stamp  
11 that was used in the Stockton area was the Jess Alamanza  
12 stamp?

13 MR. SCHWARTZ: Form. Leading.

14 A The Jess Alamanza stamp was used in Stockton .  
15 prior to that. Uh-huh.

16 Q Okay. Did you ever have a stamp that was used  
17 in the Stockton area?

18 A No.

19 Q What happened in June 2004?

20 MR. WEISS: Object to the form of the question.  
21 Vague and ambiguous.

22 MR. SCHWARTZ: I'll join. Many things happened  
23 in 2004, but go ahead.

24 A I moved to Jacksonville, Florida.

25 BY MR. WRUBEL:

1 Q Okay. As far as moving, were you requested to  
2 make the move?

3 A Yes.

4 Q By whom?

5 A My manager.

6 Q And who was your manager?

7 A Brenda Brendle.

8 Q I'm sorry?

9 A Brenda Brendle.

10 Q And do you know what her title was?

11 A Vice president, first vice president.

12 Q Of -- at that time I presume it's WaMu?

13 A Yes.

14 Q Okay. And do you know if she's still with  
15 JP Morgan?

16 A She is not.

17 Q Do you know where she is at this time?

18 A She's -- she's in Jacksonville.

19 Q Do you know if she's working for anyone?

20 A She's working.

21 Q For whom?

22 A I can't think of their name right now.

23 Q Okay. Is it a bank or credit agency or --

24 A It's a mortgage company.

25 Q Okay. And so you've indicated that Ms. Brendle

1 requested that you be transferred?

2 A I was offered a relocation package.

3 Q Okay. Was Stockton closing or --

4 A Yes, Stockton closed.

5 Q Okay. And when did Stockton close?

6 A January 2004, that -- that's when we were  
7 notified that they were going to be shutting down.

8 Q Okay. And when did they actually shut down?

9 A Later 2004 I would...

10 Q And what was the relocation offer that was made  
11 to you by Ms. Brendle?

12 MR. SCHWARTZ: Object. Proprietary  
13 information.

14 MR. WEISS: Object to the form of the question.  
15 Object on --

16 MR. SCHWARTZ: Confidential.

17 MR. WEISS: -- privacy grounds.

18 MR. SCHWARTZ: Exactly. Join.

19 BY MR. WRUBEL:

20 Q Were you told what your duties would be with  
21 respect to your relocation?

22 A I was promoted and --

23 Q Okay.

24 A -- and took over the responsibilities of  
25 secondary delivery operations in Jacksonville.

1 Q When you say you were promoted, can you tell me  
2 what part of the promotion was? I mean, was it title?  
3 Was it money?

4 MR. WEISS: Object to the form of the question.  
5 Objection on privacy grounds.

6 MR. SCHWARTZ: Privacy. Proprietary  
7 information. Confidential. Go ahead.

8 A I was promoted to a vice president and became  
9 the department manager for secondary delivery operations  
10 in Jacksonville, Florida.

11 BY MR. WRUBEL:

12 Q And when did this promotion become effective?

13 A Effective date I don't know.

14 Q Okay. Do you know if it was while you're still  
15 in Stockton, California, or Jacksonville?

16 A I was making a transition between January and  
17 June of 2004. I was offered that job, travelled back  
18 and forth, and moved here in June 2004.

19 Q And would June of 2004 or couple months before  
20 then be the first time that you were ever a vice  
21 president with the bank?

22 A Correct.

23 Q Are you still a vice president with the bank?

24 A I am not.

25 Q When did you cease being a vice president with

1 the bank?

2 A 2008.

3 Q Do you know what month?

4 A January I would guess.

5 MR. SCHWARTZ: Don't guess.

6 A January 2008.

7 Q As a vice president did you have greater  
8 authority than you had before they made you vice  
9 president?

10 MR. WEISS: Object to the form of the question.

11 Vague and ambiguous.

12 MR. SCHWARTZ: Join.

13 BY MR. WRUBEL:

14 Q You can answer.

15 A I was managing a department as a vice president  
16 versus leading a team. Responsibilities were different.

17 Q Okay. Briefly can you tell me what the  
18 difference is between managing a team and leading a  
19 team?

20 A Managing a department and leading a team?

21 Q Yes, please.

22 A The team is one piece of the department. The  
23 department encompassed other responsibilities --

24 Q Okay.

25 A -- than my responsibility in note review as it

1 was as a team leader.

2 Q Okay. I recognize that it may vary. But when  
3 you're managing a department, approximately how many  
4 employees would be under your supervision?

5 MR. WEISS: Object to the form of the question.

6 Vague and ambiguous.

7 MR. SCHWARTZ: Overly broad as to what time  
8 we're talking about.

9 A Thirty -- thirty to forty people.

10 BY MR. WRUBEL:

11 Q Okay. Did you manage any other departments  
12 besides secondary delivery?

13 A No.

14 Q Okay. And how long did you manage secondary  
15 delivery for?

16 A Till 11 of 2006.

17 Q And I take it you're saying you managed  
18 secondary delivery approximately from June of 2004 to  
19 November of 2006?

20 A Correct.

21 Q And during that period of time you had  
22 approximately 30 to 40 employees under your supervision?

23 A Yes.

24 Q And tell us please what is secondary delivery?

25 A Secondary delivery operations, it was the name

1 of the department.

2 Q Okay.

3 A Secondary -- sorry. It's the name of the  
4 department, but we delivered on the deals that were made  
5 by secondary marketing.

6 Q Okay. And when you say you delivered on the  
7 deals that were made in secondary marketing, are we  
8 talking about the fact that notes were sold to other  
9 entities from American Savings?

10 MR. WEISS: Object to the form of the question.

11 Q You can answer.

12 A That, yes.

13 Q And other things?

14 A Loans sold to Freddie and Fannie.

15 Q Do you know what percentage of Washington  
16 Mutual's loans were sold to Fannie and Freddie between  
17 June of 2004 and November of 2006?

18 MR. WEISS: Objection. Object to the form of  
19 the question. You're asking her what percentage of  
20 WaMu originated loans were sold to Fannie and  
21 Freddie? How is she possibly going to be able to  
22 answer that question?

23 MR. WRUBEL: I don't know. If she can't answer  
24 it, she can't answer that.

25 A I don't know that percentage.

1 MR. SCHWARTZ: My issue is it's been 40 minutes  
2 now. We haven't spoken about the note or the --

3 MR. WRUBEL: I don't care that we haven't  
4 spoken about the note. I've got a right to take a  
5 deposition, and I'm going to take it.

6 MR. WEISS: You have a right to take a  
7 deposition.

8 MR. WRUBEL: I don't care about 30, 40 minutes.  
9 And you guys can keep interrupting if you want, but  
10 we're 30, 40 minutes. And if this takes all day,  
11 it's going to take all day.

12 MR. SCHWARTZ: Well --

13 MR. WRUBEL: But I absolutely have a right to  
14 get background and everything that I'm getting.

15 MR. SCHWARTZ: Background -- background is one  
16 thing, and I didn't object as to background. But  
17 when you started talking about what specifically was  
18 done at American Savings by whom, what relevance  
19 does it have to this case? I'm just struggling with  
20 that.

21 MR. WRUBEL: I'm trying to learn what her  
22 background was. All right. We're beyond that. So  
23 if you want to keep talking about that and wasting  
24 time, then you can object to it.

25 MR. SCHWARTZ: No, I won't, but --

1 MR. WRUBEL: We're --

2 MR. SCHWARTZ: -- I have a right to object, and  
3 I will.

4 MR. WRUBEL: -- into the note. We're into the  
5 note. We're into endorsements. And I intend to  
6 thoroughly explore the area.

7 MR. SCHWARTZ: I told you what my objection is.  
8 Go ahead.

9 MR. WRUBEL: Okay.

10 A Was there a question?

11 BY MR. WRUBEL:

12 Q Yes. I'll rephrase the question. You were  
13 passing loans to the secondary market, and you've  
14 indicated that Freddie and Fannie included some of  
15 the --

16 MR. WEISS: Object to the form of the question.  
17 Vague and ambiguous as respects passing loans.

18 A We -- we sold loans for Freddie and Fannie.  
19 The actual percentage I have -- I do not know. The bulk  
20 of our work was sold to Freddie and Fannie.

21 Q Okay. And that's where my question goes. As  
22 far as the bulk of your work going to Freddie and  
23 Fannie, were there also private investors besides  
24 Freddie and Fannie that were buying loans in the  
25 secondary market?

1 A Yes.

2 Q Okay. And those entities would be entities  
3 such as?

4 A Lehman comes to mind, Ocwen comes to mind,  
5 Bayview.

6 Q Deutsche Bank, Goldman Sachs.

7 A GMC. I don't remember Deutsche Bank. I  
8 don't -- I don't know Sachs.

9 Q Okay. All right. And my question to you is  
10 with regards to Washington Mutual, if you know: Of all  
11 the loans that were being sold on the secondary  
12 delivery, you said that the bulk of them went to Fannie  
13 and Freddie; is that correct?

14 MR. WEISS: Object --

15 MR. SCHWARTZ: Form.

16 MR. WEISS: -- to the form of the question.  
17 You're asking her about when she was working in the  
18 secondary delivery operations department from June  
19 2004 until November of 2006 if she knew that the  
20 bulk of the loans that came in through that  
21 department went to Fannie and Freddie.

22 MR. WRUBEL: That's what she testified to.

23 MR. WEISS: I just want to be clear, she's not  
24 talking about WaMu originated the loan --

25 MR. WRUBEL: No.

1 MR. WEISS: -- generally.

2 MR. WRUBEL: No. I'm just talking about --

3 MR. WEISS: That's the way you asked the  
4 question.

5 A The bulk of the loans were sold to Freddie and  
6 Fannie.

7 BY MR. WRUBEL:

8 Q And when you say the bulk of the loans,  
9 approximately what percentage are you talking about?

10 A I can't speak to percentage. I don't know  
11 that.

12 Q All right. When you say the bulk, you know if  
13 we're talking more than 50 percent or less than 50  
14 percent?

15 MR. SCHWARTZ: Form. Speculative. Asked and  
16 answered. Go ahead.

17 A I don't know that.

18 Q Okay. Did you review any screens with regards  
19 to Mr. Orozco's loan before --

20 MR. SCHWARTZ: Form.

21 Q -- coming into this deposition?

22 MR. SCHWARTZ: Vague and ambiguous. Go ahead.

23 A Are you -- if I personally?

24 Q Yeah. Yes.

25 A No, I did not.

1 Q All right. And you understand when I say  
2 screen, I'm talking about computer screens?

3 A Yes.

4 Q Okay. And you indicated you personally did not  
5 for this deposition; correct?

6 A I did not review that note personally to a  
7 screen.

8 Q Okay. You only reviewed the note?

9 A I didn't review the note.

10 MR. WEISS: Objection. Are you talking about  
11 contemporaneously with the origination of the loan,  
12 or are you talking about since then?

13 MR. SCHWARTZ: Yeah. I'm confused. Are you  
14 talking in preparation for deposition? Can you put  
15 some time frame on it?

16 MR. WRUBEL: I asked -- if you want her to read  
17 it back -- the question was --

18 MR. SCHWARTZ: Yeah, please, because I'm  
19 confused.

20 MR. WRUBEL: Well, the question was --

21 THE WITNESS: I'm confused now.

22 MR. WRUBEL: The question was before -- I mean,  
23 you guys can keep interrupting, but the question was  
24 for the deposition. And if you want her to read it  
25 back, she can.

1 MR. SCHWARTZ: Oh, she already answered that at  
2 the beginning of the --

3 A In the beginning I saw the note. Yesterday I  
4 did not review it.

5 BY MR. WRUBEL:

6 Q Okay. And I asked about screens. And I did  
7 not ask about screen before.

8 MR. WRUBEL: But if you guys want to keep  
9 interrupting, just go ahead.

10 MR. WEISS: Mike --

11 MR. WRUBEL: We can take this deposition as  
12 long as we want.

13 MR. WEISS: It's not about interrupting. You  
14 can read back the record if you want. What you said  
15 was very unclear. You asked if she'd seen any  
16 screens in connection with the note. We made  
17 objections as to form because it was vague and  
18 ambiguous. You later asked a follow-on question  
19 where you said in preparation for this deposition.

20 MR. WRUBEL: Yeah.

21 MR. WEISS: It's absolutely unclear if you were  
22 talking about contemporaneously with the origination  
23 with the loan if she viewed any screens that  
24 reflected any information about the note or if in  
25 the context of preparing for deposition she viewed a

1 screen that reflected any information about this  
2 note. So let's make it clear.

3 MR. WRUBEL: Well, the record speaks for  
4 itself.

5 MR. WEISS: That's right. It's absolutely  
6 unclear.

7 MR. SCHWARTZ: And we've objected, so go ahead.

8 BY MR. WRUBEL:

9 Q All right. With regards to your work here in  
10 Jacksonville between June of 2004 and November of 2006,  
11 what types of things would you supervise being done in  
12 order for loans to be sold to the secondary market?

13 MR. WEISS: Object to the form of the question.

14 A The unit -- I managed one of the units related  
15 to the notes that -- the notes comes in the door. It's  
16 reviewed for accuracy and moved to the custodian. It's  
17 endorsed and moved to the custodian. That was one of  
18 the units in secondary delivery operations.

19 Q Is there a name for that unit?

20 A The note review unit.

21 Q Okay. Were there other things that were done?

22 A Done to what?

23 Q In order to process the loans so they could be  
24 sold on a secondary market.

25 A We cured loans that -- something was wrong with

1 the note, for example. We cured that.

2 Q Okay.

3 A I had a unit that would find a cure for that.

4 Q And when you say cure, can you elaborate on  
5 what you mean?

6 A The borrower may not have signed. They signed  
7 the note different from the typed name on the note.  
8 That would be corrected.

9 Q Okay.

10 A Is an example.

11 Q Any other examples?

12 A Not coming to mind.

13 Q What other things were done in order to process  
14 the loan so that they could be sold on the secondary  
15 market that you would supervise or manage?

16 A That would be the answer to that question. We  
17 did the note review. We ensured the accuracy and sent  
18 them to the custodian.

19 Q Okay. And would anything be done to the notes  
20 while they were in your unit or in your department?

21 A Anything --

22 MR. SCHWARTZ: Form. Asked and answered.

23 A -- else?

24 MR. SCHWARTZ: Go ahead.

25 Q Yes.

1           A     They were reviewed. They were reviewed. They  
2     were checked to the system for accuracy. They were  
3     moved to the custodian. And they were endorsed.

4           Q     Okay. So they were endorsed when they were in  
5     your department as well?

6           A     That's correct.

7           Q     Okay. And who were they endorsed by?

8           A     It was a facsimile signature stamp that was  
9     used for the endorsements on the note.

10          Q     Okay. But who would be the ones that would be  
11     using the facsimile stamp?

12          A     My staff.

13          Q     All right. And how many people were in your  
14     staff that were endorsing notes?

15          A     Ten to twelve.

16          Q     Do you remember the names of any of those  
17     people?

18          A     Not particularly that were endorsing the notes,  
19     no.

20          Q     Okay. What was the name of the -- the name of  
21     the unit if I were to try to acquire the names of the  
22     people that were in this unit?

23          A     Note review unit.

24          Q     Okay. And would all 10 to 12 people that were  
25     in the note review unit have authority -- or strike

1 that.

2 Would all 10 to 12 people that were in the unit  
3 be using that facsimile stamp?

4 MR. WEISS: Object to the form of the question.

5 Vague and ambiguous.

6 A They certainly could in doing their job would  
7 use that stamp. That's right.

8 Q Okay.

9 A They were a note reviewer. They would use that  
10 stamp in their note review process.

11 Q All right. And I -- you're saying that stamp.  
12 There's only one stamp?

13 A No. There was multiple stamps, nine to ten  
14 stamps.

15 Q And the stamps had your name on it?

16 A Yes, my signature.

17 Q Do you know when the stamps were made?

18 A Not exactly.

19 Q I take it would have been sometime after  
20 June 2004?

21 A Sometime in that range, yes. I don't know that  
22 it was after June 2004.

23 Q Okay. And with regards to the stamp, did you  
24 provide a signature for the stamps?

25 A Yes, I did.

1 Q Did you provide more than one signature for the  
2 stamps?

3 A I don't remember that process, whether I signed  
4 multiple times or once. I don't know what the creator  
5 of stamps needs.

6 Q Do you know if the stamps were secured when  
7 they were not being used?

8 A We had full procedures around the security of  
9 those stamps, and they were in a secured location  
10 requiring card access only by the collateral note review  
11 people.

12 Q And when you say that you had full security and  
13 procedures, can you elaborate on what those were?

14 A The procedures, they were in a locked cabinet.  
15 The lead manager of that unit would unlock the cabinets.  
16 In the morning the stamps would be checked out on a log.  
17 They would be used as the representative needed to do  
18 during the day. At the end of the night they were  
19 checked back in and logged back in to the secured  
20 cabinet. And, again, the room that the note review  
21 occurred in was a secured access only.

22 Q Was there more than one lead manager to this  
23 team?

24 A I had a manager over that team. She had a  
25 lead.

1 Q Okay. And what -- who is that manager?

2 A Pat Eyles.

3 Q Can you spell the last name, please?

4 A E-y-l-e-s.

5 Q And is Pat male or female?

6 A Female.

7 Q Is she still with JP Morgan?

8 A Yes.

9 Q Here in Jacksonville?

10 A Yes.

11 Q And you've indicated that there was a secure  
12 room where the note review would take place; is that  
13 correct?

14 A Yes.

15 Q Can you elaborate on what -- how that was set  
16 up?

17 A It's a partitioned off area, work area, that we  
18 were in, and the doors to that were secured. You had to  
19 have special card access to get in.

20 Q Again, was this a blank -- strike that.

21 With regards to the endorsement stamp, was it a  
22 blank endorsement?

23 A Yes, it was.

24 Q To your knowledge, were the stamps always the  
25 same as far as the facsimile signature of yours?

1 MR. WEISS: Object to the form of the question.

2 MR. SCHWARTZ: I join. What time period are we  
3 talking about?

4 MR. WRUBEL: We're always talking about from  
5 June -- June 2004 to November of 2006 right now.

6 A The stamps -- I don't know if they were always  
7 the same. The facsimile signature, I don't have any  
8 reason to think that they wouldn't have been the same on  
9 a facsimile signature stamp.

10 BY MR. WRUBEL:

11 Q Okay. Excuse me one sec.

12 With regards to the notes once they were  
13 endorsed, where would they go after they left that room?

14 A To the custodian.

15 Q And do you know what the custodian would do  
16 with the notes?

17 A Put them in the vault.

18 Q Okay. And was there more than one vault that  
19 they would be put in?

20 A The notes that came through Jacksonville,  
21 Florida, they were -- there were different custodial  
22 vaults at that time.

23 Q Right.

24 A Our notes went -- continued to go to Stockton.

25 Q Okay.

1           A     Until Stockton was shipped out, and I don't  
2     remember when that was.

3           Q     Okay. So I think what you're telling me is  
4     that Stockton did continue to function for a short  
5     period of time after you left.

6           A     Yes.

7           Q     And when you first came to Jacksonville, were  
8     the notes always shipped back to Stockton initially?

9           A     Yes.

10          Q     Okay. And then were there other locations  
11     where the notes were shipped to?

12          A     There was a location in Vernon Hills.

13          Q     Vernon Hills where? What state?

14          A     In Illinois.

15          Q     And during what period of time were they  
16     shipped to Vernon Hills, Illinois, if you know?

17          A     I don't know.

18          Q     Were they shipped anywhere else besides Vernon  
19     Hills and Stockton?

20          A     I can't be certain of that.

21          Q     Okay. Were there any other vaults that WaMu  
22     had besides in Vernon Hills and Stockton?

23          A     A vault was built in Florence, South Carolina.

24          Q     You know when that was built?

25          A     No, not exactly.

1 Q Approximately?

2 A I would --

3 MR. SCHWARTZ: Don't guess.

4 Q I mean, are we talking in the 1990s? Was it in  
5 2000, 2005?

6 A 2008. I don't know that it was in 2008. Let's  
7 be clear. I don't know that it was 2008.

8 Q Okay. It was not in the 1990s?

9 A It was not in 1990s.

10 Q I'd like to just go back to the endorsements a  
11 little bit. You'd indicated that there were nine to ten  
12 stamps that were made; is that correct?

13 A Correct.

14 Q All right. And, to the best of your knowledge,  
15 were they all made at the same time approximately?

16 A Yes.

17 Q Okay. So they all came back in from whoever  
18 made them to WaMu at the same time, to your knowledge?

19 A Yes.

20 Q Do you know who made them?

21 A No.

22 Q Okay. And you've indicated that you have no  
23 reason to think that the signatures were different on  
24 any of the stamps; correct?

25 MR. WEISS: Object to the form of the question.

1 Q You can answer.

2 MR. WEISS: Objection. She testified that she  
3 didn't know how the process exactly worked with  
4 respect to getting the signature from her sample  
5 signatures that she provided to the stamp. She  
6 testified that she didn't know if -- what the  
7 process was that captured her --

8 MR. WRUBEL: Mr. Weiss, just object to the  
9 form. You don't have to coach the witness any  
10 further. She testified --

11 MR. WEISS: I'm not coaching the witness.

12 MR. WRUBEL: And I'm instructing you not --

13 MR. WEISS: I'm not coaching the witness.

14 MR. WRUBEL: I'm telling you --

15 MR. WEISS: I'm trying to clarify a question.

16 MR. WRUBEL: You don't need to clarify,

17 Mr. Weiss.

18 MR. WEISS: The testimony that --

19 MR. WRUBEL: I don't want you coaching the  
20 witness.

21 THE REPORTER: One at a time, please.

22 MR. WRUBEL: You got an objection to the form?

23 MR. WEISS: I've made my objection for the  
24 record. I've stated it for the record.

25 BY MR. WRUBEL:

1 Q Now, as I was saying, you indicated earlier you  
2 had no reason -- these are your words: You have no  
3 reason to think that the signatures were different on  
4 any of the stamps; is that correct?

5 A What I said was exactly that I don't know what  
6 the process was to make those stamps, whether or not I  
7 signed several times and they took one of those  
8 signatures or not. I don't know what that process was.

9 Q Okay. But as far as you know you never saw any  
10 differences with regards to the signatures on the  
11 stamps?

12 MR. WEISS: Objection. Object to the form of  
13 the question.

14 Q You can answer.

15 A I never inspected the stamps to ensure that the  
16 signatures were all exactly the same.

17 Q Okay. All right. Now, you've indicated that  
18 the notes were initially shipped to Stockton and then to  
19 Vernon Hills?

20 MR. WEISS: Objection. Misstates prior  
21 testimony.

22 A We were -- we shipped the notes to the  
23 custodian.

24 Q Okay.

25 A And at the time frames from when that custodian

1 was in Stockton or Vernon Hills I can't speak to that.

2 Q Okay. Did you ship to any other custodians in  
3 any locations other than Vernon Hills and Stockton?

4 MR. SCHWARTZ: Asked and answered. Form. Go  
5 ahead.

6 A I just don't know at what time frames we were  
7 shipping to some place other than those two.

8 Q Okay. Did there come a point in time that you  
9 shipped to Florence, South Carolina?

10 A When the vault was built -- I don't know if  
11 that -- I can't answer that.

12 MR. SCHWARTZ: If you don't know, say you don't  
13 know.

14 A I left the department.

15 Q Okay. When did you leave the department?

16 A In November of 2006.

17 MR. SCHWARTZ: You need a break?

18 THE WITNESS: I think that would be nice if we  
19 did.

20 MR. SCHWARTZ: You mind if she takes a break?

21 MR. WRUBEL: No.

22 (Break taken.)

23 BY MR. WRUBEL:

24 Q You've indicated that it was your team that did  
25 the endorsements of the stamps in Jacksonville. Did you

1    yourself ever endorse any of the notes?

2            A    No.

3            Q    Never?

4            A    I never put an endorsement stamp on the notes.

5            Q    Okay. How many notes a day were coming into  
6    the Jacksonville area, if you know, approximately?

7            A    2- to 3,000.

8            Q    Assuming you only had 10, not 12, just if we  
9    can get through the question, am I correct then that  
10   your team would be each reviewing approximately 200 to  
11   300 notes a day?

12            MR. SCHWARTZ: Form. Speculating. Go ahead.

13            A    That sounds reasonable.

14            Q    And they would be checking the notes and the  
15   data for the loans -- strike that.

16            Each individual that was on the team would be  
17   checking the notes as well as the data with regards to  
18   the loans approximately 2- to 300 a day?

19            A    They compared the data -- certain data on the  
20   note to what was on the system.

21            Q    Would they be comparing any other data besides  
22   the data on the note to the system when they would go  
23   through the system?

24            A    Other data like what?

25            Q    Information from the mortgage perhaps.

1 A They have a note. The notes is all they had.

2 Q That was the only information?

3 A Yeah, note review.

4 Q Okay. I'm curious. Being the supervisor or  
5 the manager of the unit -- you've indicated that the  
6 team leader was Pat Eyles; correct?

7 A Yes.

8 Q Okay. Would they have ever come to you with  
9 problems with regards to the note review unit?

10 A Problems like what?

11 Q I don't know. I mean, I'm just kind of curious  
12 as to what type of things you would be managing with  
13 regards to the unit during this two-year period.

14 A Productivity is what we managed to.

15 Q Okay.

16 A We tracked how well each individual did  
17 their -- did their job.

18 Q Okay. So your responsibilities were basically  
19 to make sure the unit was working efficiently?

20 MR. WEISS: Object to the form of the question.

21 A I oversaw that unit, that we were following the  
22 procedures that we did our quality checks on, the  
23 results of those quality checks, and personnel.

24 Q Okay. Did you ever find that there were  
25 problems with regards to the quality of the work that

1 the unit did from time to time?

2 A Yes.

3 Q What types of problems were they having?

4 A When we did a QC check, we might see that they  
5 didn't properly check a -- a data element or that it

6 needed a correction. It could be that they -- live  
7 signature versus a copy signature on a note.

8 Q Okay. And when you say QC, I take it you're  
9 referring to quality control?

10 A Correct.

11 Q Okay. Who would be the individual or  
12 individuals who would be doing the review of the work?

13 A The lead or the manager of the unit.

14 Q Okay. And in the case of the note review unit,  
15 that would have been Pat Eyles?

16 A Pat or her lead.

17 Q Who was her lead?

18 A Karen Woodward.

19 Q Can you spell Woodward, please?

20 A Woodward, W-o-o-d-w-a-r-d.

21 Q To your knowledge, is she still with JP Morgan?

22 A Yes.

23 Q Here in Jacksonville?

24 A Yes.

25 Q Okay. With respect to your responsibilities,

1 what happened in November of 2006? What changed?

2 MR. WEISS: Object to the form of the question.

3 Vague and ambiguous.

4 A The department was closed and moved to the --  
5 the Florence, South Carolina, office.

6 Q And when you say the department, we're talking  
7 about which department?

8 A Secondary delivery operations.

9 Q Did you move to Florence, South Carolina, also?

10 A No.

11 Q Where did you stay?

12 A Jacksonville.

13 Q Okay. I'm going to go back just before we come  
14 into this area. No, we can go to this area. What  
15 responsibilities did you take on after June 2006,  
16 immediately thereafter?

17 A After June of 2000- --

18 Q I'm sorry. November of 2006.

19 A I did project management work for about  
20 12 months.

21 Q What type of project management?

22 A At that time we were moving -- the project that  
23 I was involved with was helping to move the custodial  
24 vault from Stockton to Florence, South Carolina.

25 Q I'm a little bit confused. I thought Stockton

1 closed somewhere between 2004?

2 A No.

3 Q It continued to operate?

4 A Yes.

5 Q Okay. When did the Stockton plant close down?

6 A That's what I can't be specific about. The  
7 custodial vault was still there when I moved to  
8 Jacksonville.

9 Q And, to your knowledge, you continued to ship  
10 notes back to Stockton and Vernon Hills during the  
11 period -- although you're not exactly sure when it  
12 ended, somewhere between the period of June 2004 and  
13 November of 2006?

14 MR. SCHWARTZ: Form. Compound question. Go  
15 ahead.

16 A Yes. We would have been shipping to the  
17 custodial vault in one of those two locations.

18 Q And come November of 2006 you got involved with  
19 the project of doing exactly what?

20 A I project managed for about the next 12 months.  
21 One of the projects was the movement of the vault from  
22 Stockton to Florence, South Carolina.

23 Q What types of things would you have to do  
24 during this period of time to oversee or help move the  
25 vault from Stockton to Florence, South Carolina?

1           A     I coordinated, you know, meetings, meetings and  
2     the activities. Generally we'd have a weekly meeting of  
3     what needed to be done, progress. A building was built.  
4     So I helped on the project management side.

5           Q     Okay. And during this period of time you've  
6     indicated that the secondary...

7           A     Delivery operations.

8           Q     Thank you. Secondary delivery operations was  
9     shut down in November of 2006?

10          A     Jacksonville -- secondary delivery operations  
11     was shut down in Jacksonville. The Florence, South  
12     Carolina, office was a -- part of it was a -- we had  
13     secondary delivery operations in two locations. That  
14     location continued. The Jacksonville office shut down.

15          Q     Okay. And I take it you're saying that  
16     Florence, South Carolina, secondary delivery operations  
17     picked up around November of 2006, December 2006?

18          A     No, that's not correct. They were in parallel  
19     with Jacksonville --

20          Q     Okay.

21          A     -- for sometime --

22          Q     Okay.

23          A     -- prior.

24          Q     All right. So they started up before November  
25     of 2006?

1 A Yeah.

2 Q When I say they, I'm referring to Florence,  
3 South Carolina.

4 A They were in existence before November of 2006.

5 Q Okay. Do you know approximately how long  
6 before November of 2006, approximately?

7 A They were in existence prior to 2004.

8 Q Okay. Did they have a vault there before 2004?

9 A Yes.

10 MR. SCHWARTZ: Form.

11 Q And there I'm referring to Florence, South  
12 Carolina.

13 A Yes.

14 Q Okay. Are you clear that Jacksonville's  
15 operation, as far as secondary delivery operations,  
16 closed down in November of 2006?

17 MR. WEISS: Object to the form of the question.

18 A We were laid off the end of that year.

19 Q Okay. And so is your answer yes, there was --  
20 strike that.

21 Is it your answer that there were no secondary  
22 delivery operations going on in Jacksonville by the end  
23 of 2006?

24 A Correct.

25 Q And when you say you were laid off, you were

1 laid off from that department. You continued to work  
2 for JP Morgan; correct?

3 MR. SCHWARTZ: Form.

4 A I was laid off and subsequently got a job back  
5 with JP Morgan in January.

6 Q January of what year?

7 A 2009.

8 Q And when were you laid off?

9 A It had to have been 11, November.

10 Q Okay. When you came back in January 2009, what  
11 did you do?

12 A I went to work in MIS, management information  
13 systems, in the default division.

14 Q And I take it you no longer had the title of  
15 vice president?

16 A That's correct.

17 Q And would I be correct in -- strike that.

18 With regards to defaults and management  
19 information systems, what were your responsibilities  
20 there?

21 A Management information systems, I provided  
22 information to the auditing agencies.

23 Q What types of auditing -- auditing entities are  
24 we talking about?

25 A Moody's, S&P, Fitch.

1 Q Did MIS provide any information to anyone  
2 besides Moody's, S&P, Fitch? Was the --

3 A I'm sure they did.

4 Q Was the information used for other purposes, I  
5 guess is my question?

6 A Other purposes like what?

7 Q I don't know. But, I mean, you're saying that  
8 the name of the unit was management information systems.  
9 Was it strictly for auditing purposes?

10 A Wait a minute. I was speaking of my  
11 responsibilities at MIS.

12 Q Okay.

13 A And your question is those responsibilities?

14 Q Right.

15 A Okay. My responsibilities, I provided data for  
16 the auditing.

17 Q Okay. And I take it you're implying that  
18 management information system was used for other  
19 purposes, but that was not your responsibility?

20 MR. SCHWARTZ: Form.

21 MR. WEISS: Object to the form of the question.

22 A That was one function in MIS.

23 BY MR. WRUBEL:

24 Q Okay. What were the other functions?

25 A They provide reporting to all the departments.

1 Q And how long did you provide the information  
2 for auditing purposes?

3 MR. WEISS: Object to the form. Vague and  
4 ambiguous.

5 A I'm still at MIS with other responsibilities.

6 Q Okay. What types of responsibilities do you  
7 have now?

8 A I'm doing reporting for our borrowers' systems  
9 groups.

10 Q What are you referring to as borrowers' systems  
11 groups? I'm not sure I understand the term.

12 A Customers that call in looking for assistance.

13 Q Okay. And you also mentioned that you were  
14 involved with defaults when you came back on board?

15 A Originally MIS was a default under the default  
16 umbrella.

17 Q Is it still under the default umbrella?

18 MR. SCHWARTZ: If you don't --

19 A I don't know.

20 Q Okay. When you said originally, I thought  
21 things may have changed.

22 Have you worked in any other units besides MIS  
23 since you came back in 2009?

24 A No. Any other departments --

25 Q Yes.

1 A -- at MIS? No.

2 Q Were there any other projects that you worked  
3 on besides helping transfer everything to the Florence,  
4 South Carolina, vault?

5 A Yes.

6 Q During that 12-month period that you referred  
7 to after November of 2006.

8 A Yes, there were other projects that I worked  
9 on.

10 Q Okay. What other types of projects?

11 A They were like a Z state -- I want to call  
12 it -- where you're -- process improvement.

13 Q Process?

14 A Improvement.

15 Q Okay. What does that entail?

16 A We looked at -- we helped implement projects in  
17 departments where they saw improvements and needed to  
18 make changes.

19 Q Any other projects besides project improvements  
20 and working on the vault during that 12-month period?

21 A No. Unh-unh.

22 Q Okay. And at the end of that 12-month period  
23 that's when you were laid off?

24 A That was -- I was laid off and went to the job  
25 in MIS.

1 Q Okay..

2 A I applied and got a new job in MIS, yes.

3 Q Okay. Did you ever supervise any of the  
4 employees in Florence, South Carolina?

5 A I did not.

6 Q And none of them were under your authority?

7 MR. WEISS: Object to the form of the question.

8 MR. SCHWARTZ: Join.

9 BY MR. WRUBEL:

10 Q None of the employees in Florence, South  
11 Carolina, were ever under your direction?

12 A They were not.

13 Q Or your supervision?

14 A They were not.

15 MR. WRUBEL: I take it you have seen this note?

16 MR. SCHWARTZ: Which one is it? I don't know.

17 MR. WRUBEL: It's the only one relevant to this  
18 litigation.

19 Mark this as Defense Exhibit 1.

20 (Defendants' Exhibit 1 was marked for  
21 identification.)

22 BY MR. WRUBEL:

23 Q Ms. Riley, I'm showing you what's been marked  
24 as Defense Exhibit 1. And I'll ask you if you've ever  
25 seen a copy or -- of this document.

1 A Yesterday.

2 Q That was the first time?

3 A I believe so.

4 Q Okay. And with reference to the endorsement,  
5 which is on the last page, does that appear to be your  
6 signature?

7 A Yes, my signature.

8 Q Okay. And does that appear to be similar to  
9 the facsimile stamps that were used during your time  
10 when you managed the -- the secondary delivery unit?

11 MR. WEISS: Object to the form of the question.

12 MR. SCHWARTZ: I'll join. Calls for  
13 speculation. Lacks predicate. Lacks foundation.  
14 Go ahead.

15 A Say the question, again. Would you, please?

16 BY MR. WRUBEL:

17 Q I'll be glad to. Does the signature that  
18 appears there appear similar to the -- to the facsimile  
19 stamps that were used during your tenure between June of  
20 2004 and November of 2006?

21 A This is my signature, yes.

22 Q Okay. And does your signature vary materially  
23 at any time?

24 MR. SCHWARTZ: Objection. Calls for  
25 speculation.

1 MR. WRUBEL: You can just say form.

2 MR. SCHWARTZ: Lack of predicate. Lack of  
3 foundation.

4 MR. WRUBEL: You can say form.

5 A My signature's certainly over time made  
6 changes.

7 BY MR. WRUBEL:

8 Q Okay.

9 MR. WRUBEL: I'd like to take a break for a  
10 couple of minutes.

11 (Break taken.)

12 BY MR. WRUBEL:

13 Q Ms. Riley, I don't know if you're aware of it  
14 or not, but some of the attorneys moved for a protective  
15 order before we took this deposition. Is there any  
16 reason that you're concerned about any of the testimony  
17 that you've provided here that may be confidential, or  
18 do you have other concerns with regard to your  
19 testimony?

20 A Well, I'm not sure about the protective order  
21 that you're talking about, but yes, I have concerns on  
22 where it ends up and where it's going.

23 Q Okay.

24 A Yes.

25 Q Okay. And can you elaborate on what your

1 | concerns are?

2 |       A     Well, I've seen things on the Internet that has  
3 | gone way beyond, that has -- frankly, there's phrases in  
4 | there that are threatening. Going to run me down, run  
5 | me out of breath. That sounds pretty threatening. So  
6 | yes, I have concerns about where this kind of  
7 | information ends up.

8 |       Q     Okay. Is there any other concerns that you  
9 | have besides that it may end up on the Internet that  
10 | you're aware of or that you --

11 |       A     You're saying it may end up on the Internet?

12 |       Q     It won't. It won't. I can assure you it  
13 | won't.

14 |       A     Okay. I have no concerns about what I told you  
15 | today.

16 |       Q     Right.

17 |       A     I have -- I can't speak to specific dates that  
18 | you've asked about.

19 |       Q     Right.

20 |       A     But what we've -- I've told you what I know.

21 |       Q     No. No. And just so you're clear on it, there  
22 | already is a protective order in place which says that  
23 | it's not to go on the Internet. So I just want you to  
24 | be aware of that and seems to be -- but you're saying  
25 | other than that you really don't have any other concerns

1 with any of the other --

2 MR. SCHWARTZ: Form.

3 A I don't have concerns about what I said today.

4 Q Okay.

5 MR. WEISS: Objection to the form of the

6 question. Just to clarify, I'm -- you're asking her

7 if -- she seems to be responding to, Do you have any

8 concerns what you've testified about? You're asking

9 her, Do you have any concerns about this deposition?

10 MR. WRUBEL: I'm asking her both.

11 MR. SCHWARTZ: Let's be clear. She's not a

12 lawyer. The legal concerns are not under her

13 purview.

14 MR. WRUBEL: I understand.

15 MR. SCHWARTZ: She's talking about the facts.

16 MR. WRUBEL: Right. She's concerned from her

17 own personal standpoint about it going on the

18 Internet, and I'm assuring her it will not.

19 MR. WEISS: So are you asking -- but are you  
20 asking her does she have any other concerns about it  
21 being publicly disseminated?

22 MR. WRUBEL: I've asked her what I've asked  
23 her. That's it.

24 MR. SCHWARTZ: All right.

25 MR. WEISS: All right.